

**IN THE CHANCERY COURT FOR LEWIS COUNTY
AT HOHENWALD, TENNESSEE**

IN RE:)
)
)
SENTINEL TRUST COMPANY) NO 4781
)
)

**SENTINEL TRUST RECEIVER'S MOTION TO CLASSIFY JAMES F. MILLER
CLAIM AS CLASS 6 -- LATE FILED AND TO CERTIFY ORDER APPROVING SUCH
CLASSIFICATION AS FINAL PURSUANT TO RULE 54.02 TENN. R. CIV. P.**

I. INTRODUCTION

The Sentinel Trust Receiver received, on July 13, 2006, a claim from James F. Miller ("Miller Claim") (see Exhibit A). The Miller Claim was received after the January 31, 2006 filing of the Schedule of Claim Determinations and therefore was not noted or addressed in that filing. Through inadvertence the Miller Claim was not included in the Receiver's January 8, 2007 filing regarding final claim classification and determinations. Because the Miller Claim has not otherwise been addressed, the Sentinel Trust Receiver, through this Motion, requests the Court enter an order approving the classification of the Miller's Claim as Class 6 -- Late Filed and to certify such order as final pursuant to Rule 54.02 Tenn.R.Civ.P.

II. RELEVANT BACKGROUND

Through Order of Court, entered on December 15, 2004, the deadline for submitting Proofs of Claim was established as July 31, 2005. The Miller Claim, which presents a "vault check" claim related to a Miller County, Georgia bond issue, was received by the Receiver on July 13, 2006. See Exhibit A. That, of course, was approximately 11 ½ months after the Proof of Claim deadline. Mr. Miller has not presented any information or explanation as to why the filing of his claim was so woefully late.

III. DISCUSSION

T.C.A. § 45-2-1504(h)(2) specifically provides that claims filed late (which are otherwise proper) are to be paid only after all other timely-filed claims are paid. In this Receivership, the Receiver has assigned a classification -- Class 6 -- for late-filed claims. Accordingly, the Receiver requests the Court's approval of the classification of the Miller Claim as "Class 6/Late-Filed." In requesting this relief, the Receiver does not want to be coy -- given the amount of timely-filed claims, it is highly unlikely that late-filed claims will be paid, pro rata or otherwise. If there is opposition to the Miller Claim being classified as late-filed, from Mr. Miller or anyone else, the Receiver requests that such opposition be set forth now so that through the addressing of this Motion, the Receiver will know how to classify and treat the Miller Claim.

Moreover, the Receiver asserts that there is no just reason for delay in entering, as final, an order approving a "Class 6/Late-Filed" classification on the Miller Claim. Final determination regarding the Miller Claim is needed in order to move forward regarding future claim payments envisioned by the Receiver. Accordingly, the Receiver requests that the Order classifying the Miller Claim be a final order, pursuant to Rule 54.02 Tenn.R.Civ.P., and that the Court expressly instruct the Clerk and Master to enter the Order as such.

IV. DEADLINE FOR ANY RESPONSE IN OPPOSITION

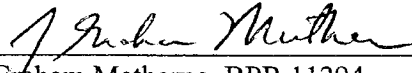
Pursuant to Court Order entered on August 8, 2006, any response in opposition to this Motion is to be filed with the Lewis County Chancery Court Clerk and Master on or before Monday, June 4, 2007. A copy of any such opposition is to be received by undersigned counsel and a copy mailed to the Court's Chambers [Honorable Jerry Scott, 119 North Maple Street, Murfreesboro, Tennessee 37130] on or before that date. If any response in opposition is timely filed, the matter will come before the Court for hearing at a time set by the Court with notice

given to all affected parties. If no responses in opposition are filed by Monday, June 4, 2007, a proposed order granting the Motion will be sent to Judge Scott for consideration and entry.

V. CONCLUSION

For the reasons set forth herein, the Sentinel Trust Receiver requests entry of an order setting for the relief herein requested.

Respectfully submitted,



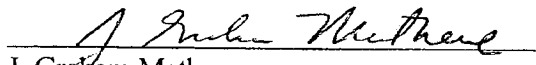
J. Graham Matherne, BPR 11294
WYATT, TARRANT & COMBS, LLP
2525 West End Avenue, Suite 1500
Nashville, Tennessee 37203-1423
615.244.0020

*Counsel for Receivership Management, Inc.,
Receiver of Sentinel Trust Company*

CERTIFICATE OF SERVICE

This is to certify that on May 23rd, 2007, a copy of the foregoing Motion has been sent by First Class U.S. Mail, postage paid, and by Federal Express as noted, to:

Janet M. Kleinfelter Senior Counsel/Special Litigation Division Attorney General's Office 425 5 th Avenue North P.O. Box 20207 Nashville, Tennessee 37243	Carrol D. Kilgore Attorney at Law 95 White Bridge Road Suite 509, Cavalier Building Nashville, Tennessee 37205-1427
James S. Chase John A. Decker Hunton & Williams LLP 900 South Gay Street, Suite 2000 P.O. Box 951 Knoxville, Tennessee 37901	Larry Stewart Adams and Reese/Stokes Bartholomew 424 Church Street, Suite 2800 Nashville, Tennessee 37219
David D. Peluso P.O. Box 250 Hohenwald, Tennessee 38462-0250	James S. Hereford, Jr. 310 W. College Street P.O. Box 802 Fayetteville, Tennessee 37334-0802
Diana M. Thimmig Roetzel & Andress 1375 East Ninth Street One Cleveland Center, Ninth Floor Cleveland, Ohio 44114	Donald Schwendimann 12 East Fourth Avenue P.O. Box 366 Hohenwald, Tennessee 38462 (via Federal Express)
James F. Miller 805 Woodall Lane Huntsville, Alabama 35805	


J. Graham Matherne

PLEASE READ THIS FORM CAREFULLY AND NOTE THAT YOU ARE MAKING THE FOLLOWING STATEMENTS UNDER OATH:

PROOF OF CLAIM
AGAINST

RECEIVED
JUL 13 2006

SENTINEL TRUST COMPANY BY:

BEFORE ME, the undersigned Notary Public, appeared the person whose name is subscribed hereto, who states under oath that, after deducting all offsets and counterclaims the above entity is indebted to her/him as follows:

(Receiver's Use Only)

Claimant Name James F Miller Claim No. _____
(Party who is executing this claim and to whom payment should be made)

Claimant Address 805 Woodall Ln Huntsville AL 35805
(Street or Box Number) (City) (State) (Zip)

Contact Number 256 837 1326 E-Mail _____ Tax ID# _____
(Required)

To the extent that the claim relates to a particular bond issue, that information is as follows:

Bond Issue Name: Miller County At 1997 Cert.# _____ CUSIP# _____
(Series No.)

Type of Claim: _____ Bond Issuer ☒ Bondholder _____ Other _____

Amount of Claim: _____ Interest _____ Principal 412.50 Other _____

If filing a claim other than which relates to a specific bond issue (i.e. employee or vendor), please state the following:

Nature of Claim: _____ Amount: _____

Please attach all supporting documentation for any claim.

That the above is TRUE & CORRECT, justly owed, and no part of the amount claimed has been paid by Sentinel Trust Company, or any other source. Should monies from any other source be disbursed, I will contact the Receiver and report the amount.

James F Miller
Claimant Signature

SUBSCRIBED AND SWORN BEFORE ME, this July day of 2006

NOTARY PUBLIC

NOTARY NAME TYPED/PRINTED

My Commission Expires: _____

ALL CLAIMS MUST BE PRESENTED AT THIS ADDRESS ON OR BEFORE July 31, 2005 4:30PM CST

Receivership Management, Inc. P. O. Box 2307 Brentwood, TN 37027 (615) 370-0051 (Filings by Fax are not accepted)

